

TERRY E. BRANSTAD, GOVERNOR

IOWA UTILITIES BOARD
DEPARTMENT OF COMMERCE

August 7, 1997

DOCKET FILE COPY ORIGINAL

Mr. William F. Caton, Acting Secretary
Federal Communications Commission
Room 222, 1919 M Street NW
MS 1170
Washington, DC 20554

RE: State of Iowa rules on Schools and Libraries
Federal Communication Commission's, Docket No. CC 96-45

Dear Mr. Caton:

Enclosed are Iowa's rules relating to the Schools and Libraries section of the FCC's May 7, 1997, Universal Service R&O in the above captioned docket. Iowa has adopted the federal discount effective July 25, 1997, as stated in the attached order "Iowa RMU-97-5". Although the text indicates that the new rule will be listed in the Iowa Administrative Code Chapter 38.8, it will actually be a part of a new Universal Service Chapter 39 -- 39.3.

If you have questions, please contact Sandra Makeeff at 515/281-4034 or Mary J. Street at 515/281-3068 between 8:30 a.m. - 5:00 p.m. CST.

Sincerely,

Ms. Mary J. Street
Sr. Analyst - Telecommunications
Iowa Utilities Board

Enclosures

cc: Ms. Sheryl Todd, FCC Universal Service Division

No. of Copies rec'd _____
List: ABCDE

UTILITIES DIVISION [199]

Adopted and Filed

Pursuant to the authority of Iowa Code sections 476.1, 476.2, 476.3, and 476.102 and the Telecommunications Act of 1996, 47 U.S.C. section 254, the Utilities Board (Board) gives notice that on July 25, 1997, the Board issued an order in Docket No. RMU-97-5, In re: Universal Service--Schools and Libraries, "Order Adopting Rules," to adopt proposed rule 199 IAC 38.8(476), to address the discount rate to be applied for intrastate telecommunication services to elementary schools, secondary schools, and libraries.

On April 24, 1997, the Board issued an order in this docket to consider the adoption of proposed rule 199 IAC 38.8(476). The proposed rule making was published in IAB Vol. XIX, No. 24 (5/21/97), p. 1879, as ARC 7239A. Comments on the proposed rule were filed by AT&T Communications of the Midwest, Inc., GTE Midwest Incorporated, the Consumer Advocate Division of the Department of Justice, and U S West Communications, Inc. An oral presentation was held on June 26, 1997.

All parties filing comments supported proposed rule 199 IAC 38.8. The proposed rule sets the discount rate for intrastate telecommunication services for schools and libraries equal to the discount rate the Federal Communications

Commission establishes for interstate telecommunications services for these entities.

This rule is intended to implement Iowa Code section 476.102 and the Telecommunications Act of 1996 and will become effective on September 17, 1997.

The Board, after giving due consideration to the comments received, adopts the following rule.

Adopt new rule 199-38.8(476) as follows:

199-38.8(476) Universal service. With respect to intrastate telecommunication services, determined by either the board or the Federal Communications Commission to be within the definition of universal service, the discount for elementary schools, secondary schools, and libraries shall be equal to the discount the Federal Communications Commission sets with respect to interstate service.

July 25 , 1997



Allan T. Thoms
Chairperson

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE:

UNIVERSAL SERVICE--SCHOOLS AND
LIBRARIES

DOCKET NO. RMU-97-5

ORDER ADOPTING RULE

(Issued July 25, 1997)

Pursuant to the authority of IOWA CODE §§ 476.2 and 476.102(1997) and the Telecommunications Act of 1996, 47 U.S.C. § 254, the Utilities Board adopts the rules attached hereto and incorporated by reference. These rules add a new rule, IOWA ADMIN. CODE 199-38.8 (1997). The reasons for adopting the new rule are included in the preamble to the adopted rules.

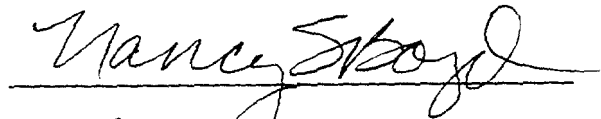
IT IS THEREFORE ORDERED:

1. New rule 38.8 listed in the attached notice is adopted to be effective September 17, 1997.

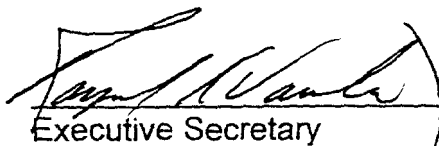
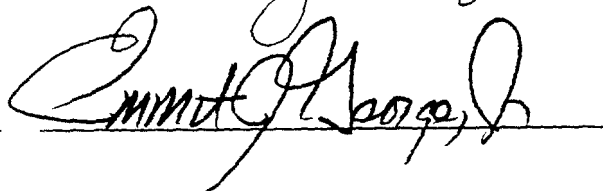
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2. The Executive Secretary is directed to submit for publication in the Iowa Administrative Bulletin a notice in the form attached to and incorporated by reference in this order.

UTILITIES BOARD



ATTEST:


Executive Secretary

Dated at Des Moines, Iowa, this 25th day of July, 1997.